

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James Allen Machen,

Civil No. 11-1557 (DWF/JSM)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Scott Iverson, IRS; Patricia Patton, IRS;
Daniel Klein; Matthew Klein; Klein Bank
a/k/a First National Bank of Chaska; Mahlega
Abdsharafat Athanta Croswell, GA; Michael
Perlman, Atty; Thomas Flynn, Atty; Thomas
Alexander, Atty; Larkin, Hoffman, Daly Lindgren
Ltd; Robin C. Campbella/k/a Robin C. Machen;
Ken Colias; Karen Extel, Henn Co.; Ann Barry
Moh; Hennepin County Support & Collections;
Andrew V. Moran; Minnesota Revenue Department;
Bruce Peterson, Henn Co.; Bev Lowe; Deuche Bank;
Saxon Mortgage; Pro-Title Co.; Patricia Bodine,
Maplewood; Clifford Lozinski; Countryside R. Edina;
Johnson, West & Co. PLLC; Richard Stanek, Sheriff;
SMG Inc.; Associated Bank; Gerald Anderson;
Michael Morton; Mark Saliterman; Morton Equity
LLC; KL. Title/Brend[a] Colston #L.20355319; Zurich
Assurance of America; City of Chaska Economic
Development Authority; Bank of America Mortgage;
Josteph E. Dicker, atty; John A. Hedback, atty;
Central Mortgage Company; Aislee Smith,
Atlanta Ga.; American Family Insurance;
Commercial Properties, Atlanta; Commercial
Partners, Atlanta; and Mallie Sharafat, Atlanta,

Defendants.

The above matter came on before the Court on the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron, dated January 23, 2012. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and upon all the files, records and proceedings herein, the Court now makes and enters the following:

ORDER

IT IS HEREBY ORDERED that:

1. Defendants Clifford Lozinski and Johnson, West & Co., PLLC's Motion to Dismiss (Doc. No. [10]); Defendants Thomas Flynn, Thomas Alexander, and Larkin, Hoffman Daly & Lindgren LTD's Motion to Dismiss (Doc. No. [16]); Defendant City of Chaska's Motion to Dismiss (Doc. No. [28]); Defendants Ann Barry Moh (Anne Barry) and the Hon. Bruce Peterson's Motion to Dismiss (Doc. No. [31]); Defendants Patricia Bodin and ProTitle, Co.'s, Motion to Dismiss (Doc. No. [32]); Defendants Richard Stanek, Hennepin County Support and Collections, Bev Lowe, Ken Collias and Karen Extel's Motion to Dismiss (Doc. No. [37]); Defendants Saxon Mortgage and Deutsche Bank's Motion to Dismiss or in the Alternative for a More Definite Statement (Doc. No. [42]); Defendants KleinBank, Daniel Klein and Matthew Klein's Motion to Dismiss (Doc. No. [56]); Defendants Associated Bank, National Association and Gerald Anderson's Motion to Dismiss (Doc. No. [63]); the United States' Motion to Substitute as Proper Defendant for Scott Iverson and Patricia Patton and Motion to Dismiss (Doc. No. [84]); Defendant American Family Insurance's Motion to Dismiss (Doc. No. [91])

are **DENIED AS MOOT** in light of Machen's Notice of Voluntary Dismissal, and Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** as to these Defendants.

2. Defendant Central Mortgage's Motion to Dismiss (Doc. No. [18]); Defendant Minnesota Department of Revenue's Motion to Dismiss (Doc. No. [20]); Defendant Joseph Dicker's Motion to Dismiss (Doc. No. [67]); Defendant John Hedback's Motion to Dismiss (Doc. No. [69]); and Defendant Michael L. Perlman's Motion to Dismiss (Doc. No. [98]) are **GRANTED**, and Plaintiff's Complaint against these Defendants is **DISMISSED WITH PREJUDICE**.

3. Plaintiff's Complaint against the remaining defendants, Mahlega Abdsharafat Athanta Croswell, Robin C. Campbell (f/k/a Robin Machen), Andrew Moran, SMG, Inc., Michael Morton, Mark Saliterman, Morton Equity LLC, Bank of America Mortgage, KL Title/Brend[a] Colston, Zurich Assurance, Bank of America Mortgage, Aislee Smith, Commercial Properties, Commercial Partners, and Mallie Sharafat is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 21, 2012

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge